

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION

DEMARIO WALKER, #L1625

PLAINTIFF

VERSUS

CIVIL ACTION NO. 3:08cv96-TSL-JCS

HALEY BARBOUR, JIM HOOD
UNITED STATES OF AMERICA, and
UNITED STATES ATTORNEY GENERAL

DEFENDANTS

FINAL JUDGMENT

This cause is before the court, sua sponte, for consideration of dismissal. Pursuant to the opinion and order issued this day, it is hereby, ORDERED AND ADJUDGED the plaintiff's claim that the Mississippi marriage statute is unconstitutional because it prohibits same sex marriages is duplicative of a previously filed civil action and will be dismissed with prejudice as malicious pursuant to 28 U.S.C. § 1915(e)(2)(B)(i). The plaintiff's claims relating to the DOMA, Title 10 U.S.C. § 654 also known as the policy of "Don't Ask Don't Tell", and Barring Persons Who Are Convicted of Felonies from Military Service as being unconstitutional will be dismissed with prejudice as frivolous pursuant to 28 U.S.C. § 1915(e)(2)(B)(i).

SO ORDERED AND ADJUDGED, this the 12th day of March, 2009.

/s/Tom S. Lee
UNITED STATES DISTRICT JUDGE